

City of Columbus
**LIVINGSTON AVENUE AREA COMMISSION
BYLAWS**



PREAMBLE

These Bylaws shall establish the order of procedures under which the LIVINGSTON AVENUE AREA COMMISSION (LAAC) shall execute those duties and functions set forth in and with the authority granted under Chapter 3109 of Columbus City Code. The commission shall not endorse any candidate for public office.

Article I. GENERAL PROVISIONS

- Section 1. The name of this organization shall be the Livingston Avenue Area Commission, herein referred to as "Commission."
- Section 2. The boundaries of the Livingston Avenue Area Commission shall incorporate our 3111.03 boundaries:
West: West side of Lathrop Avenue and its extended line north of Livingston Avenue to Interstate 70; west side of Studer Avenue
North: Interstate 70
South: North side of Whittier Avenue; south side of Memory Ln; and the north side of Livingston Avenue
East: Interstate 70
- Section 3. These bylaws establish the procedure under which the Commission shall execute those duties and functions set forth in and with authority granted under chapters 3109 and 3111 of the Columbus City Codes (herein abbreviated as C.C.) and the Columbus City Charter sections 60 and 61.
- Section 4. The Commission, and all of its bodies thereof, shall be governed by Robert's Rules of Order Newly Revised, except as inconsistent with these bylaws and except that:
- a. A quorum shall be two-thirds of the commissioners present.
 - b. The voting shall be by roll call.
 - c. All votes by the commission regarding matters of business and procedures other than those outlined specifically in these by-laws, shall be precedent for future legal or procedural matters. If there is no clear precedent or provision in the by-laws, there shall be a request set forth to the Columbus City Attorney for clarification and final decision.
 - d. In the event of an even number of commissioners present at a meeting during a vote, the Commission President or presiding commissioner in the absence of the President shall abstain from voting. This will restore an odd number of voting commissioners.

Section 5. No Commission member shall represent the Commission in its official actions before any other public body or official, except as specifically authorized by the Commission. This shall not be construed as a restriction upon the right of the individual members to represent their own views before public or private bodies, whether in agreement or disagreement with the official action of the Commission, provided they do not represent themselves as speaking for the Commission.

Section 6. No monies shall be expended or encumbered save pursuant to the Annual Budget.

a. Within thirty (30) days of receipt of the draft annual agreement with the City of Columbus, the Treasurer and President shall propose the annual budget to the Commission. At the next regular meeting, the annual budget shall be adopted when approved by a majority of the Commission.

b. Any monies received shall be deposited immediately by the Treasurer in an account at a financial institution designated by the current commissioners.

c. All purchases must follow the guidelines allowed in current Columbus City Code for Commissioners.

d. For purchases for Commission activities that are itemized in the approved annual budget and are fifty dollars (\$50) or less, any Commissioner may request reimbursement by providing the Treasurer with a written, dated request explaining the purchase along with a paper copy of the receipt for the purchase. Permission to grant reimbursement may be given by the Treasurer.

e. Any Commissioner may request a full Commission vote on any expense reimbursement not itemized in the approved annual budget.

Section 7. Elections Committee: See **Article VI**.

Section 8. The Commission shall also facilitate communication, understanding, and cooperation among citizens, neighborhood groups, city officials and staff, and other stakeholders by performing those functions and duties set out in C.C. 3109.14.

Article II. MEMBERS

Section 1. There shall be nine (9) members of the Commission.

a. Nine (9) members, to be known as "Livingston Avenue Area Commissioners," shall be elected at-large.

Section 2. Members shall serve the following terms of office:

a. A term of office for a Commissioner shall be three (3) years.

Section 3. Members shall take office at the beginning of the Annual Meeting following the LAAC Board of Elections official report as set forth in **Article IV**, Section 2.

a. The annual meeting will be the second (2nd) Saturday in January.

Section 4. Vacancies shall be filled as follows:

a. If a vacancy occurs on the Commission because of resignation, death, disqualification, or other means, the Secretary shall give public notice of the vacancy at least thirty (30) days before the date on which the Commission will vote to recommend a candidate to fill the vacancy. After providing an opportunity for persons interested in filling the vacancy to indicate their interest to the Commission, the Commission shall vote by individual, private ballots to select a candidate to fill the vacated active term.

1. Notice of a vacancy shall be given in the agenda, given to each unsuccessful candidate from the last election and shall be made known to the public. The options shall include but not be limited to: newspaper notice, flyers, television, radio, electronic media and community newspapers.

2. The Secretary shall send written notice of the candidate endorsed by the Commission to the Office of the Mayor and the Department of Development, pursuant to C.C. 3109.08.

Section 5. The Commissioners shall retain their residence within the Livingston Avenue Area Commission community from which they were elected. ***Commissioners from the Alum Creek Business Corridor, Livingston Avenue Corridor and the clergy of the Livingston Avenue Area Commission community can meet this residency requirement by owning, managing, or being employed by a business or religious institution in the area.*** Failure to maintain their residence shall constitute resignation from the Commission. A Commissioner who has failed to maintain his/her residence in the community may petition the Commission to grant a waiver to this bylaw and the Commission may grant this waiver by a two-thirds vote. Notice of this waiver must be given in the meeting. If a waiver is granted, the Commissioner shall retain that seat only until the next Commission election.

Section 6. Three (3) unapproved absences from regular Commission meetings between annual meetings shall constitute resignation from the Commission. The Secretary shall notify, in writing or by electronic correspondence, a Commissioner who has been absent from two such meetings within fifteen (15) days of the second absence. Absent Commissioners may petition the President for approval of an absence from the Commission. This petition for approval of an absence as excusable shall be in writing or electronic form and submitted to the President thirty (30) calendar days prior to the absence or within ten (10) calendar days after the absence. Extenuating circumstances shall be considered and voted on by the Commissioners.

- a. An unapproved absence is defined for the purpose of these bylaws as a failure by a Commissioner to notify the President in advance of his/her non-attendance prior to a regular Commission meeting. This notice may be by telephone, written, or electronic communication.
- b. An approved absence is defined as a notification to the president of his/her non-attendance prior to a regular Commission meeting. This notice may be by telephone, written, or electronic communication.

Section 7. The members of the Commission shall be approved and appointed by the Mayor of Columbus in accordance with C.C. 3109.08. The Secretary shall notify the Mayor and the Department of Development of all appointments, elections, and vacancies within thirty (30) days of such action.

- a. Should the Mayor neither approve nor disapprove within thirty (30) days of notification, the action shall be deemed approved.
- b. A copy of each such notice shall be sent to the City Council (care of the City Clerk) and to the proper official with the Department of Development.
- c. New members of the Commission will attend orientation training as provided by the City of Columbus, or by the Commission, as soon as possible. Failure of new members of the Commission to meet this requirement shall result in resignation from the Commission.

Article III. OFFICERS

Section 1. The officers of the Commission shall be President, Vice President, Treasurer, and Secretary.

- a. The officers shall be elected by the Commission after January 1 and prior to the annual meeting and shall take office upon election.
- b. All officers shall serve a term of three (3) years, or until their successors are elected and the process of certification is completed by the appropriate City of Columbus official.
- c. With the exception of the Executive Committee of which they are all a part, officers are allowed to chair a committee, but are not required to do so.

Section 2. The President shall:

- a. Chair all meetings of the Commission;
- b. Coordinate the actions of all officers and representatives of the Commission;
- c. Chair all public hearings called by the Commission;
- d. Select, supervise, direct or delegate any volunteers or staff hired by or assigned to the Commission;

- e. Represent or appoint a Commissioner to represent the Livingston Avenue Area Commission at City Council meetings and other meetings affecting the Livingston Avenue Area Commission;
- f. Appoint all chairpersons of standing committees.
- g. Approval of news stories and press releases pertaining to LAAC.

Section 3. The Vice President shall:

- a. Assist the President;
- b. Preside at meetings in the absence of the President;
- c. Assist the President in establishing and distributing the monthly agenda.

Section 4. The Secretary shall:

- a. Keep and permanently file all resolutions considered by the Commission, as well as a record of all actions taken;
- b. Call the roll at each meeting of the Commission and record times of arrival and departure of Commissioners after roll has been taken or before the adjournment of the meeting;
- c. Correspond at the direction of the Commission;
- d. Keep on file all correspondence of the Commission;
- e. Provide copies of any Commission documents at a reasonable charge to any person requesting them;
- f. Notify the Mayor and the Department of Development of all appointments, elections, and vacancies within thirty (30) days of such action.
- g. Maintain all historic records of the Livingston Avenue Area Commission; maintain newsletter and photographs of the Livingston Avenue Area Commission.

Section 5. The Treasurer shall:

- a. Receive all monies and approve all payments for the Commission in accordance with Article I, Section 6;
- b. Prepare and present an Annual Budget, with the President, for the Commission in accordance with Article I, Section 6;
- c. Report on the financial condition of the Commission at each regular meeting;
- d. Submit a written report of the finances of the Commission at the Annual Meeting;
- e. Participate in the preparation of budget and expenditure of any grant monies; and
- f. Manage the distribution and administration of grant monies;
- g. Exercise all duties incident to the office of Treasurer, including compliance with all fiscal requirements within the memorandum of agreement with the city.

Section 6. The Vice President shall fill a vacancy in the office of President. A vacancy in any other position shall be filled in the same manner as the original selection process as set forth in Article III, Section 1.

Section 7. The Commission may create additional officers or representatives. The Commission shall elect representatives with a majority vote of those commissioners present.

Article IV. MEETINGS

Section 1. The Commission shall hold a regular monthly meeting on the fourth (4th) Tuesday of each month.

- a. A regular meeting may be cancelled or rescheduled by a two-thirds vote of the Commission at the regularly scheduled prior meeting of the Commission.

Section 2. The annual meeting in January shall be the meeting at which new Commissioners take office and annual reports from the committees are received.

- a. Any current Commissioner may be a voting member of the officer nomination committee. Membership on this committee shall not exclude a Commissioner from consideration for an office.
- b. The proposed slate of officers must be included with the meeting following the annual meeting notice.
- c. First item of business for the meeting preceding the annual meeting will be the election of Commission officers with additional or write-in nominations accepted from any member of the Commission.
- d. The election of officers shall be conducted by written ballot, the results of which shall be tallied immediately by the Election Committee Chairman, or a designated member, and announced to the Commission. A voice vote may be held if there are no contested offices.

Section 3. At least a five (5) day notice of all meetings shall be given. All meetings of the Commission shall be open to the public and comply with the Ohio open meeting law and the open meeting requirements pursuant to C.C. 121.01.

Section 4. The Commission shall consider no business unless introduced by a Commissioner or a committee of the Commission. No person shall speak during a Commission meeting except when recognized by the presiding officer. This can be subject to approval of the Commission by a majority vote.

- a. Allowance shall be made for public comment on any issue to be voted on by the Commission or a committee of the Commission. Each speaker shall be limited to three (3) minutes. This limit may be extended by a vote of the members present upon a motion of any Commissioner to do so. Time shall be allowed following each presentation for Commissioners to discuss and ask questions of the speaker. At his/her discretion, the presiding officer may limit the number of speakers on each side of the issue to three (3). Such limitation shall be announced at the beginning of the public comments on that issue.

- Section 5. Special meetings may be called by the President or by the Commission if five (5) of the Commissioners in office sign a petition to do so and submit it to the President.
- a. Any such petition shall specify the date, time, and place of the special meeting and shall include all business to be conducted at the meeting.
 - b. No business shall be conducted at a special meeting unless explicitly included in the petition.

Section 6. At the direction of the Commission, by a majority vote, or a committee with the President's approval, a public hearing may be held.

- a. With the permission of a majority vote of the Commission, a public hearing may be held in conjunction with a Commission meeting.
- b. The Secretary, or other provided recording officer, shall keep a record of each public hearing.
- c. If a committee has called a public hearing, it shall provide the presiding officer and recording officer.
- d. At least a fifteen (15) day public notice shall be given for all public hearings unless extenuating circumstances warrant otherwise.

Article V. COMMITTEES

Section 1. The President shall appoint Commissioners to the standing committees subject to approval by the Commission. The President shall consider requests for assignments from all Commissioners but is not bound by those requests. The standing committees are as follows: Public Safety; Zoning and Development Regulation; Recreation & Parks; Government & Legislation; Housing, Health, and Human Services; Education; Public Service; History and Community Relations; and Economic Development. The President shall appoint a Sergeant at Arms.

- a. The initial appointments shall be made at the meeting following the annual meeting.

- b. The President shall be ex officio a member of all committees and may elect to be a voting member of any committee at the meeting following the annual meeting.
- c. The President shall designate a Committee Chairman to convene each committee.
- d. Each committee may select other officers and adopt internal rules.
- e. All committees shall meet on a monthly basis and are ***required*** to submit a written report, including attendance, at each general Commission meeting as well as reading that report at the meeting.
- f. All Committees are required to establish an agenda for yearly activities by the January meeting as well as write a summary of completed activities for the next annual meeting.
- g. The terms of office of all members of all committees shall end at the beginning of the annual meeting.
- h. A vacancy in a committee shall be filled in the manner of original selection.
- i. Each Commissioner must chair at least one (1) but no more than two (2) committees with the exception of the officers of the commission who shall be a part of the Executive Committee.
- j. Each Commissioner must chair a standing committee.

Section 2. The Executive Committee shall meet bi-monthly and:

- a. Consist of the President, Vice President, Secretary, immediate past President (if still a Commissioner), and the Treasurer.
- b. Develop the annual budget
- c. Evaluate and plan the direction and scope of the Commission activities.

Section 3. The Director of the Public Safety Committee shall:

- a. Conduct research, analysis, and make proposal recommendations on criminal justice issues and any city, state, or federal plans that affect the area;
- b. Encourage, support, conduct research, and make recommendations on criminal justice issues within the area;
- c. Research, monitor, and make recommendations on any federal, state, or local funds and grant monies that are available to implement criminal justice projects in the area;
- d. Conduct research, analysis, and make proposal recommendations on fire department issues and any city, state or federal plan that affects the area.
- e. The Director of Public Safety's area of responsibility should include but is not limited to: the division of police, division of fire, division of communication, community relations between the fire and police departments, U.S. Justice Department, Drug Enforcement Administration, Ohio Department of Rehabilitation and Correction, adult and junior block programs, citizens on patrol, vehicle and control maintenance, and acting as a liaison to city public safety and to the Franklin County sheriff's Department.

Section 4. The Zoning and Development Regulation Committee shall regularly receive, review, and make recommendations on all applications for rezoning, variances, and other zoning adjustments; all appeals; all requests for demolition permits, graphic permits, and special permits; and all applications for city historical designations pertaining to property wholly or partially within the Livingston Avenue Area Commission boundaries. The Committee shall also review existing zoning, building practices, and administrative procedures as well as make recommendations for proposed changes.

- a. The Zoning and Development Regulation Committee shall meet at least once per month.

- b. In the event that a recommendation on the zoning matter must be reported to a City Government Body before the full Commission can properly meet and take action upon it, the Zoning and Development Regulation Committee may proceed to make the recommendation on the Commission's behalf if prior to making such recommendation, the Committee obtains approval of the LAAC President and two (2) other Commissioners who are not members of the Zoning and Development Regulation Committee.
- c. In the event that the Commission receives from the City's Department of Regulation a demolition request for an accessory use building in a residential district from a private home owner; the Chairperson of the Zoning and Development Regulation Committee, the Chairperson of the Public Service Committee, the LAAC President, the Commissioners in the respective zone for which the demolition request is received and a resident of the Livingston Avenue Area who is not a Commissioner, **may** review the demolition request without a full meeting of the Commission. They shall review the proposed demolition; if all agree, the demolition is then deemed to be approved. If one disagrees, the matter shall be held over until the next regular LAAC meeting.
- d. The Zoning and Development Regulation Committee shall regularly receive, review with each applicant, and make recommendations to the Commission on all applications for rezoning, variances, graphics and other zoning adjustment appeals, and special permits located wholly or partially in the area;
- e. The Zoning and Development Regulation Committee shall review, monitor, and approve all requests for demolitions. The decision of this committee on all such requests must be reported to the Commission at the next regularly scheduled meeting and is not final until that time. Upon a motion by any Commissioner, requests may be reconsidered by the entire Commission and approved by majority vote;

- f. The Director of Zoning and Regulation's area of responsibility shall include, but is not limited to: code enforcement and zoning, housing code violations, weed and grass violations, hazards and broken glass and trash on property, BET Environment health, board houses and garages, garbage and debris, off-street parking, signs and banners, inoperable vehicles, storage of RV's, boats, campers trailers and other vehicles, evictions and move out cleanups and act as a liaison to the Development Regulation Division.
- g. The Director of Zoning and Regulation may select a Deputy Director whose duties will be the same as that of the Director.
- h. For all matters considering zoning and regulation, the Livingston Avenue Area Commission shall have two (2) Zones.
- i. **Zone West** shall be comprised of the Livingston Park Neighborhood Improvement Association and the Old Oaks Civic Association. The Livingston Park Neighborhood Improvement Association shall have the boundaries consisting of I-70 to the north; the north side of Livingston Avenue to the south; Ohio Avenue to the east; and the west side of Third Street to the West. The Old Oaks Civic Association shall have the boundaries consisting of I-70 to the north; the north side of Livingston Avenue to the south; the alley (Lockbourne Rd.) east of Kimball Place to the east; and Ohio Avenue to the west.
- j. **Zone East** shall be comprised of the Driving Park Civic Association and Hanford Village. The Driving Park Civic Association shall have the boundaries consisting of I-70 to the north; the north side of Whittier and the south side of Memory Lane to the south; I-70 to the east; and the alley (Lockbourne Rd.) east of Kimball Place and the east side of Studer Avenue to the west. Hanford Village shall have the boundaries consisting of I-70 to the north; the north side of Livingston Avenue to the south; I-70 to the east; the east side of Nelson Road to the west; and the area including the four properties on Kent Street off of Alum Creek Rd.

- k. All zoning matters, including all mentioned above, must be presented to the respective civic organizations or groups representing or comprised of either Zone West or Zone East. If a request for zoning or demolition falls within the boundaries of a zone and/or civic organization, a recommendation must be received by the commission from that group before it will be reviewed by the Livingston Avenue Area Commission. All persons or organizations making a request for zoning must attend Zone West, Zone East of civic association meeting and present their plans before the Commission will consider a request.

Section 6. The Director of the Recreation and Parks Committee shall:

- a. Address, research, and make recommendations on recreation and parks issues in the area;
- b. Make recommendations to change city codes applicable to recreation and park issues;
- c. The area of responsibility of the Director of Recreation and Parks shall include, but not be limited to: recreation and park programs and facilities within LAAC; liaison to the city's Department of Recreation and Parks; inspection of grounds, benches, chairs, and equipment in the area.

Section 7. The Director of the Government and Legislation Committee shall:

- a. Implement these bylaws and election rules as required;
- b. Research the effectiveness and applicability of these bylaws and make recommendations to the Commission for amendments to the bylaws;
- c. Conduct the orientation of new Commissioners;
- d. Coordinate the internal activities of the Commission as it relates to proper procedure and accountability.
- e. Conduct all elections; make recommendations to the President regarding candidates for vacancies; and educate residents on voting.

- Section 8. The Director of the Housing, Health, and Human Services Committee's area of responsibility shall include, but not be limited to: preservation of neighborhoods; provision of social service; consumer education courses to community; social services and programs; health care; disease control; ADAMH; health department (city and state).
- Section 9. The Director of the Education Committee's area of responsibility shall include, but not be limited to: promoting the quality of education in the Livingston Avenue Area and making recommendations when appropriate. It shall ensure that area students receive the highest standard of education offered by the Columbus Public Schools. The Committee shall work with local school officials to institute measures pertaining to the safety of area students. It shall work with area Parent-Teacher Organizations on programs involving the community and the schools as well as other area organizations pertaining to educational programming. It shall interact with the Columbus City School Board. Committee shall have knowledge of educational funding and its effect on local schools.
- Section 10. The Director of the Public Service Committee's area of responsibility shall include, but not be limited to: public and private construction; street maintenance; refuse collection; public utilities; traffic control; snow and ice removal; involvement with the Mid Ohio Regional Planning Commission and Columbus Compact.
- Section 11. The Director of the Economic Development Committee's area of responsibility shall include, but not be limited to: business concerns in the Livingston Avenue Area; economic planning in LAAC; Liaison to Economic Development Division; Historic Preservation Officer; forestry; Columbus chamber of Commerce; Columbus Urban Growth; and Columbus Compact.
- Section 12. The Director of History and Community Relations Committee's area of responsibility shall include, but not be limited to: promoting mutual understanding and respect among all racial, religious, national, cultural, and ethnic groups within the Livingston Avenue Area Commission and suggesting ways to prevent discriminatory practices against such behavior. The Director will work with community organizations to develop programs and educational campaigns devoted to the elimination of group prejudices, racial or neighborhood tensions, conduct research on the status and treatment, religious

and ethnic groups in the Livingston Avenue Area Commission and enforce the City of Columbus Civil Rights Code.

The Director will also actively participate in all such organizations dedicated to preserving the History of Columbus and actively solicit oral and written histories from residents past and present of the Livingston Avenue Area Commission.

Section 13. The Sergeant at Arms may be a non-Commissioner. The responsibility shall be to help maintain order and security at all meetings of the Commission.

Section 14. An Ad Hoc Committee may be established or dissolved by a majority vote of the Commission. Its size, powers, and duties shall be specified by the creating resolution. Unless otherwise specified, the term of a special committee shall be one (1) year.

Section 15. All reports to the commission shall be delivered by the person chairing the committee (unless the committee directs otherwise). If a minority of a committee wishes to make a report, it may do so after the committee reports as an addition to the report.

Section 16. Any Commissioner may attend any meeting of any committee as an ex officio member.

Section 17. In the event that a matter overlaps the area of two or more committees, the President of the Commission shall have the authority to assign such issues to a specific standing committee, or charge two or more of the committees to work as a special combined committee for the issue.

ARTICLE VI. ELECTIONS

Section 1. Elections may be held on the first Saturday of November of each year. All elections shall be secret ballot and determined by plurality vote. The location of the elections is to be determined by the Commission.

a. The Election Committee shall have all necessary authority to conduct the election, including the counting of ballots.

b. Candidates for election to the Commission shall not be members of the Election Committee or polling staff in the years in which their names will appear upon the ballot for election.

Section 2. Any person who is eighteen years of age or older and has been a resident of the Commission area for a minimum of thirty (30) days prior to the election, shall be an elector. Electors need to be registered voters with the Franklin County Board of Elections.

Section 3. All nominations shall be by petition as provided in the Election Rules. All candidates must be qualified to vote for themselves and be a resident of the Livingston Avenue Area Commission community at least thirty (30) days prior to the election as set forth in the Election Rules. All candidates must provide a current resume covering at minimum the last five (5) years of activity at the time they receive a petition.

Section 4. There shall be a LAAC Board of Elections appointed by the President, with the approval of the Commission, none of whom shall be connected in any way to candidates for the Commission. The Board shall perform all duties set forth in the Election Rules. This Board of Elections shall only be assembled in the years that there are elections. In election years the Board of Elections is to be assembled a maximum of ninety (90) days before the election is to be held and disbanded immediately after the election results are certified.

a. Petitions shall be made available no later than sixty (60) days prior to the election. Petitions and resumes must be hard copies and hand delivered. Electronic mail and facsimiles will not be accepted.

b. Petitions are to be circulated personally by the candidate(s).

c. Each circulator of a petition must complete and execute the affidavit at the end of the petition prior to its submission to the Election Committee.

- d. The Elections Committee may grant exception to the requirement that a petition be circulated personally by the candidate due to disability demonstrated by the circulator. This exception may be granted only upon written application submitted by the circulator to the Election Committee. If granted, a written statement to that effect must be issued by the Committee within seven (7) days after the Committee has received the written application. A proxy shall be designated to collect the signatures.
- e. Each petition must be signed by at least fifteen (15) persons, aged 18 or over, and residing in the LAAC boundaries for at least thirty (30) days prior to the signing.
- f. Campaigning shall be permissible only within the fourteen (14) days immediately preceding the Election Day.
- g. There shall be a \$75.00 limit on campaign expenditures. A campaign expense is any applicable goods or services acquired primarily for campaign purposes. Each candidate must file a report of campaign expenditures within seven (7) calendar days after the election. There shall be no gifting of goods or services or in kind goods or services.
- h. Campaigning of any kind (including the posting of campaign materials, as well as any other activity that would amount to campaigning) within 100 feet of the polling place is prohibited.
- i. It is the candidate's responsibility to remove any campaign posters, fliers, etc. within 48 hours following Election Day.
- j. All polling records shall be placed in the custody of the Secretary of the Commission after the election is completed and retained in a secure place for three (3) years.
- k. The sealed ballot boxes shall be kept in a secure place until three (3) weeks after the election, at which time they may be destroyed under the supervision of the Election Committee.
- l. Election challenges must be presented in writing to the Election Committee on or by 5:00 p.m. on the seventh (7) day following the election.

- m. In the event of an election challenge, an immediate fact finding hearing will be held by the Election Committee for the purpose of receiving relevant testimony and receiving other evidence. The Election Committee shall not deliberate upon or make any determination in regard to oral or other evidence received in the fact finding hearing. In a second hearing, which shall be open to the public, the Election Committee shall describe the evidence previously received, hear arguments relating to the evidence and make its decision. The decision of the Election Committee shall be taken to the full Commission. The decision of the Commission is final.
- n. Deadlines as they pertain to the election rules shall be strictly adhered to and shall be final in regard to the items to which they related. No person shall have the right to an extension of any election deadline.
- o. Violation of any rule shall result in the disqualification of the candidate.

Section 5. All candidates and electors must provide identification and proof of residence within the LAAC boundaries in which they intend to run or vote. Such identification may include, but is not limited to: a valid driver's license or state-issued ID. Other identification may be accepted at the discretion of the LAAC Board of Elections by a majority vote. The Board's determination shall be final. Affidavits and other sworn statements, by themselves, shall never be sufficient.

A statement of the identification provided by electors, in instances where the sufficiency is uncertain, shall be written by the poll worker on the envelope in which the ballot is placed. The Board shall determine the sufficiency of the identification before the envelope is opened. If it is the decision of the Board that the identification is not sufficient, the envelope shall be retained unopened.

Electors shall provide identification before they are permitted to vote. Successful candidates shall provide identification at the meeting of the Commission in which the election results are reported and approved. Should it be determined by vote of the Commission that the candidate has not established verification of residency, the candidate receiving the next highest number of votes shall be declared the winner.

At any time prior to the day of the election, any Commissioner may dispute the residency of any candidate by so informing the Board of Elections. In such case, the Board shall contact the candidate to verify residency.

Each candidate shall have the right to have one challenger present when the votes are cast and when they are tabulated, provided such challenger has lived in the Livingston Avenue Area Commission community a minimum of thirty (30) days prior to the election and is a registered voter with the Franklin County Board of Elections.

Section 6. The LAAC Board of Elections shall adopt Election Rules for governing the elections.

- a. Such rules shall be adopted by a majority vote of the Board.
- b. Such rules shall be in conformity with these bylaws.
- c. Such rules shall not be changed within the forty five (45) days before an election or thirty (30) days after.
- d. Any adoption or amendment of the Election Rules shall be presented to the Commission at the beginning of a regularly scheduled meeting. Should the Commission not disapprove of them by the end of that meeting, they shall take effect.
- e. The Commission may amend the Election Rules without action by the Board of Elections in the same manner as set forth in **Article VII**.

Section 7. Counting of the Ballots:

- a. The counting of the ballots shall be done by the Election Committee at its headquarters immediately following the conclusion of all voting and the transportation of voted ballots to the headquarters.
- b. Candidates may have an observer present at the counting of the ballots at the headquarters.

- c. Results of the balloting shall be certified by the Election Committee to the Commission at the next regularly scheduled meeting following the election and shall, thereafter, be certified by the Secretary of the Commission to the Appropriate City Official within thirty (30) days.

Section 8. Results:

- a. The candidates receiving a plurality of votes cast shall be the winner.
- b. In the event of tie votes, the winner shall be decided by the majority of the Commission only after a recount of the ballots.

Section 9. Election Deadlines:

When a date is set as a deadline for the elections, and that date falls on a Saturday, Sunday or a State (Ohio) or national holiday, then the deadline shall be extended to the next regular business day following the aforesaid weekend day or holiday. In all cases, the day of the deadline shall end at 5:00 p.m. Deadlines as they pertain to the election rules shall be strictly adhered to and shall be final in regard to the items to which they related. No person shall have the right to an extension of any election deadline.

Article VII. AMENDMENT OF BYLAWS

- Section 1. As permitted per C.C. 3109.13, these bylaws may be amended in part or in whole at any regularly scheduled meeting of the Commission by an affirmative vote of a two-thirds (2/3) majority of all Commission members provided that the amendments were submitted in writing at the previous regularly scheduled meeting. The Secretary shall file any approved amendments immediately after its adoption with the city clerk for publication in the City Bulletin. Such amendments shall take effect ten (10) days after such publication per C.C. 121.05.